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JAN 30 2007

Ravalli County Commissioners

Dear County Commissioners,

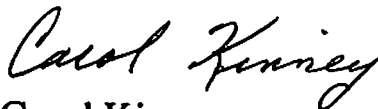
Please find enclosed a letter sent to each of our representatives in the House and the Senate in Helena. I wanted to personally tell you about the situation and share my concern.

The proposals (lobbied for and being presented by the Montana Contractor's Association) WITHDRAW your rights to make decisions regarding zoning changes within YOUR county. They wish to turn all authority over to state entities (already overburdened). I feel the County Commissioners have the insight and knowledge of their counties to make just and quality decisions. Removing that opportunity is a mistake.

Among a host of bills regarding this are LC 1971, LC 2390, LC 1669 with at least 20 others possibly having bits of this plan within them.* Most of these bills have not been drafted and/or published for the public to see so we do not know their exact contents. To me this causes more concern as I may not be able to contact people in time. Please watch these bills and do your best to stop them from passing. Our rights to govern ourselves are being threatened.

If you have questions or need more information please feel free to contact me Carol Kinney, 12555 Mullan Road, Missoula, Mt. 59808 AND check our site at www.montanagag.com. With email contact at montanagag@yahoo.com
Thank you for your time and consideration.

Sincerely,



Carol Kinney

* Other bills we have noted are:

LC1277,2170,1479,0883,1771,1365,1383,1388,1389,1219,2219,1835,0427, 1199,1216,1217,1218,1622,1854,1856,1433,1437,1915 plus possibly many others

Honorable Legislator:

Date 1-20-2007

A group of residents of Western Montana are VERY concerned about proposed changes affecting open cut mines and gravel mining operations, that will soon be before the Legislature. We urge you to please vote **against** any bills which include the following changes: (Please note our response below each is in Bold)

1. Protections from mining operations in residential zones only if **TAXED** residential.
 - * (Residential, and agricultural land, zoned residential, should be protected from open cut mining operations.)
2. 'Minimal restrictions' allowed for permitting gravel mining operations.
 - * (Minimal restrictions could bring devastation to our State.)
3. Shortened time frames for open cut mining permits.
 - * (The DEQ has a small staff. Shortened time frames require permits with little time for environmental concerns.)
4. Removing Government agencies, such as County Commissioner's, responsibility to zone, deny or approve open cut mining operations, and placing it with State agencies.
 - * (Local, County Governments should have the responsibility for zoning, so citizens have a voice.)
5. Gravel mapping for future potential mining operations.
 - * (Taxpayer expenditures such as this are not in the best interests of the State.) (Subdivisions already require soil testing.)

Newspaper articles, Montana Contractor's Association writings, testimony from Cary Hegreberg, Executive Director of MCA, and other research, has brought an insight into the depth of what is planned. Bills allowing lessening of restrictions would undoubtedly produce degradation of our treasured environment. We ask you to be diligent and keep our State safe from this potential devastation.

The law, as it is now on record, prohibits gravel mining in residential zones. (see HB 591). Proposed changes would remove this protection from all lands not **taxed** residential. This would allow gravel operations in agricultural lands even if zoned residential, including those surrounded by residential areas.

Removal of responsibility for approving open cut mines from County government to State agencies is encouraged by those not focused on protecting our Treasure State. The responsibility to **zone** land properly needs to be in the hands of County Government, where local residents can have a voice in it. Without locally decided zoning restrictions, gravel operations could be placed very quickly, with 'minimal restrictions'. The general public would have no input if local zoning is removed from the process. State agencies often show they are not equipped to properly protect and care for our land.

Concerning open pit mines, the Montana Contractor's Association has persistently requested of the DEQ: lessened restrictions, shortened time frames for permit granting, and the need for only general impact papers, basically eliminating the need for detailed Environmental Impact Statements. All these remove environmental protections so desperately needed in Montana.

Increased fees for mining permits to pay for additional staff for the DEQ has been suggested. With already approximately 2,000 gravel pits with permits in Montana, (New Mexico has only around 200), and only three staff members for oversight, it is clear more staff is needed. But, added DEQ staff alone, will **not** serve as a proper protection to the environment, especially if the 'minimal restrictions' are implemented. More staff will not bring back environmental or wildlife degradation or loss, nor will it lessen the negative effects on health and safety from particulates, pollution, noise, dust, or water contamination.

The Montana Contractor's Association has strongly encouraged the State of Montana to 'map potential gravel sites', apparently at taxpayer expense. Cary Hegreberg has urged people to carefully consider the large potential value of the gravel in their 'backyard'. We would consider the treasures of The Treasure State to include the true value of the environment, the wildlife, and the serenity which comes from a quiet mountain stream, not just money in someone's pocket. It is our belief that allowing environmental degradation for the monetary benefit of a few, is truly short-sighted.

Montana is a wondrous state, with mountains, valleys, prairies, agriculture, rivers, fish, wildlife, countless unmatched scenes of quiet beauty, culture and history. Tony Incashola, of the Confederated Salish & Kootenai Tribe says, 'The roots of the Native American Culture and History run deep into the soil of this Country'. Open cut and gravel mining operations can cause great losses to these valued treasures. It is vitally important to ensure protection of all these, as well as human and wildlife. The State Constitution was written by far-sighted individuals, as it provides for a 'clean and healthy environment'. Out of the twenty-one (21) Most Endangered Eco-Systems in the whole US, five (5) of those include Montana. (Defenders of Wildlife). 95% of native waters in Montana have experienced declines or losses of native species and invasion in recent years. The number of Endangered Candidate Species in Montana is at sixty-five (65). It is important we continue to protect these most irreplaceable resources. Open cut mining operations can devastate large areas. The number of such reclaimed is very low, often at great taxpayer expense. Wildlife, when displaced, often never return, and some die out altogether. PLEASE, vote to protect our true Treasures. As concerned residents of this beautiful State, we are watching your votes carefully.

I am joining with other concerned citizens of Montana to protest the above mentioned changes.

Sincerely,

Carol Kenney